

PTO/SB/30 (08-00)  
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#21  
Req. RCE  
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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	09/444,221
<i>Filing Date</i>	November 19, 1999
<i>Examiner Name</i>	B. Brumback
<i>First Named Inventor</i>	Brian R. Murphy
<i>Group Art Unit</i>	1642
<i>Attorney Docket Number</i>	2303-1-5-142-96-3 (formerly NIH-T04)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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TECH CENTER 1600, 2900  
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1. Submission required under 37 C.F.R. § 1.114
a. <input type="checkbox"/> Previously submitted
i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered.)
ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. <input type="checkbox"/> Other _____
b. Enclosed
i. <input checked="" type="checkbox"/> Amendment/Reply
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)
iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
iv. <input type="checkbox"/> Other _____
2. Miscellaneous
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b. <input type="checkbox"/> Other _____
3. Fees
The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees or credit any overpayments, to Deposit Account No. <u>07-1897</u>
i. <input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. <input type="checkbox"/> Other _____
b. <input checked="" type="checkbox"/> Check in the amount of \$ <u>750.00</u> enclosed
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Jeffrey J. King	Registration No. (Attorney/Agent)	38,515
Signature	<i>Jeffrey J. King</i>	Date	April 29, 2003

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Name (Print /Type)	Donna Zimmerman		
Signature	<i>Donna Zimmerman</i>	Date	April 29, 2003

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**20284**  
**GRAYBEAL JACKSON HALEY, LLP**

Brian R. Murphy, et al.

Title: Production of Attenuated Respiratory Syncytial Virus  
Vaccines From Cloned Nucleotide Sequences

Docket No: 2303-1-5/E-142-96-3 (formerly NIH-104)

Amount: \$750.00

RCE fee

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OR

GRAYBEAL JACKSON HALEY, LLP  
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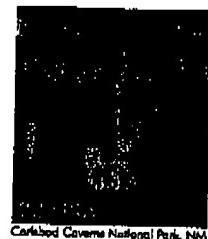
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**Applicant:** Brian R. Murphy, et al  
**Title:** Production of Attenuated Respiratory Syncytial Virus Vaccines From Cloned Nucleotide Sequences  
**Application No.:** 09/444,221  
**Papers Submitted:** Transmittal Letter; Amendment/Response; Petition f Extension of Time Under 37 CFR 1.136(a) and Check #20281 for \$1,970; RCE Transmittal and Check #20284 for \$750.00; and postcard  
**Received:**  
**Sent:** April 29, 2003  
**Sender:** Jeffrey J. King  
**Docket:** 2303-1-5/E-142-96/3 (formerly NIH-104)



ORANGE



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Jeffrey J. King  
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June 20, 2003

**FACSIMILE MESSAGE – COVER SHEET**

To: Examiner Lucas Fax number: 703.746.8480

Company: Patent and Trademark Office Your Ref:

No. of pages: 36

From: Jeffrey J. King Our Ref:

Regarding: Documents Requested Per Telephone Conversation of June 20, 2003

Message: Please see attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian R. Murphy, et al

Title: Production of Attenuated Respiratory Syncytial Virus Vaccines  
From Cloned Nucleotide Sequences

Serial No.: 09/444,221

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Filing Date: November 19, 1999

MAY 08 2003

Examiner/Unit: 1642

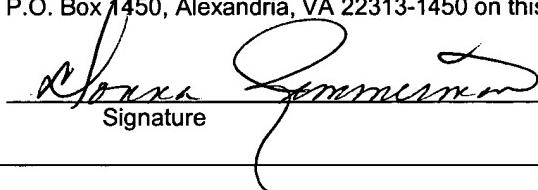
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Attorney Docket No.:2303-1-5/E-142-96/3 (formerly NIH-104)

TRANSMITTAL LETTER

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Signature

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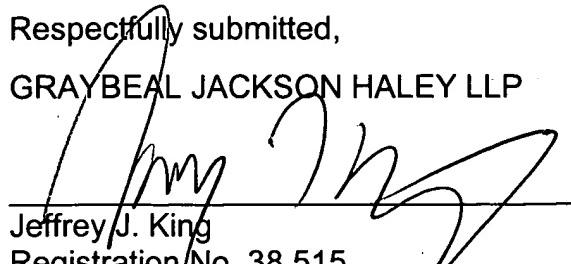
Transmitted herewith is:

1.  An Amendment/Response in the above-identified application.  
No additional fee is required.
2.  Petition for Extension of Time Under 37 CFR 1.136(a).  
Check No. 20281 in the amount of \$1,970.00 is attached.
3.  Request for Continued Examination (RCE) Transmittal  
Check No. 20284 in the amount of \$750.00 is attached
4.  Postcard

5. X Please charge any additional fees or credit overpayment to  
Deposit Account No. 07-1897.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

  
Jeffrey J. King  
Registration No. 38,515  
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PTO/SB/21 (05-03)

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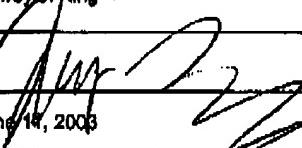
Total Number of Pages in This Submission

Application Number	09/083,793
Filing Date	May 22, 1998
First Named Inventor	Brian R. Murphy
Art Unit	1648
Examiner Name	M. Mosher
Total Number of Pages in This Submission	1
Attorney Docket Number	203-1-5 (formerly NIH-0104)

**ENCLOSURES (check all that apply)**

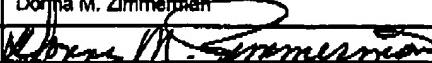
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="margin-left: 20px;">Deposit Declaration of Brian R. Murphy</div>
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or individual name	Jeffrey J. King
Signature	
Date	June 11, 2003

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Typed or printed name	Donna M. Zimmerman
Signature	
Date	June 11, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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